

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

SHANITA NICHOLSON,

Plaintiff,

Case No.

v.

TRANSWORLD SYSTEMS, INC.

Defendant.

_____ /

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, defendant, Transworld Systems Inc. (“TSI”), through undersigned counsel and pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, *et seq.*, hereby removes this action from the Court of Common Pleas, Cuyahoga County, State of Ohio to the United States District Court for the Northern District of Ohio. In support of this Notice of Removal, TSI states as follows:

1. On or about March 19, 2020, plaintiff, Shanita Nicholson (plaintiff), commenced a civil action in the Court of Common Pleas, Cuyahoga County, State of Ohio, entitled and captioned *Shanita Nicholson v. Transworld Systems, Inc.*, Case No. CV-20-931232 (hereinafter the “State Court Action”). No further proceedings before the State Court have occurred.

2. In the Complaint, plaintiff alleges statutory causes of action against TSI under the Fair Debt Collection Practices Act, (FDCPA), 15 U.S.C. § 1692, *et seq.* A true and correct copy of plaintiff’s Complaint, together with all process and orders, is attached hereto as Exhibit “A.” Therefore, this Court has jurisdiction over the State Court Action

pursuant to 28 U.S.C. § 1331 because plaintiff's Complaint alleges a cause of action arising under the laws of the United States. Because plaintiff affirmatively alleges violations of the FDCPA, the Complaint asserts a federal question under 28 U.S.C. § 1331 and is removable pursuant to 28 U.S.C. § 1441.

3. On July 31, 2020, TSI was served with a copy of the Summons and Complaint.

4. The time within which TSI is required by the laws of the United States, 28 U.S.C. § 1446(b), to file this notice of removal has not yet expired. This Notice of Removal is timely, having been filed within 30 days of the date on which TSI was served with plaintiff's Complaint. *See* 28 U.S.C. § 1446.

5. The Court of Common Pleas, Cuyahoga County, State of Ohio, is located within the United States District Court for the Northern District of Ohio. Therefore, venue for purposes of removal is proper because the United States District Court for the Northern District of Ohio embraces the place in which the removed action was pending. 28 U.S.C. § 1441(a).

6. Written notice of this Notice of Removal of this action is being immediately provided to the Court of Common Pleas, Cuyahoga County, State of Ohio. *See* Exhibit "B" attached hereto.

7. Written notice of this Notice of Removal of this action is being caused to be served on the plaintiff.

WHEREFORE, defendant, Transworld Systems Inc., gives notice that this action is removed from the Court of Common Pleas, Cuyahoga County, State of Ohio, to the United States District Court for the Northern District of Ohio.

Dated: August 11, 2020

Respectfully Submitted,

/s/ James O'Connor

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*Attorneys for Defendant,
Transworld Systems Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2020 a copy of the foregoing was served on counsel for all parties of record electronically and via U.S. Mail, including on the following:

James S. Wertheim, Esq.
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/s/ James O'Connor

James O'Connor (0063428)